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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/656,776
Filing Date: September 04, 2003
Appellant(s): GIANNETTI, FABIO

Robert Popa
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/7/2008 appealing from the Office action

mailed 5/14/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial

proceedings which will directly affect or be directly affected by or have a bearing on the

Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is

correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Hyatt, XBL - XML Binding Language, W3C, 2000, pgs 1-35

DeRose, XML Pointer Language: Xpointer, W3C, 2001, pgs 1-25

Didier, Didier's Lab Report, xml.org, 2000, pgs 1-5

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claimed invention as a whole must be useful and **accomplish a practical application**. That is, it must produce a "useful, concrete and tangible result." ***>*State Street Bank & Trust Co. v. Signature Financial Group Inc.*, 149 F.3d 1368, 1373-74, 47 USPQ2d 1596, 1601-02 (Fed. Cir. 1998).< The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (*Brenner v. Manson*, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96 (1966); *In re Fisher*, 421 F.3d 1365, 76 USPQ2d 1225 (Fed. Cir. 2005); *In re Ziegler*, 992 F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)).

Independent Claim 18 remains rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claim describes, "A layout document processor circuit", however according to the specification the layout document processor is software based and fails to describe any support for being construed as an actual hardware element consisting of a processor circuit. Instead the system for authoring content should include the processor circuit to represent a hardware based system. However the claims in their current format fail to specify a hardware element such as a CPU in

the system or a computer readable medium for a software system. The claim is

not statutory since the system itself only describes a series of abstract steps with

no device for implementation or storage for any practical application.

Claim Rejections – 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

3.   Claims 1-14 & 18 remains rejected under 35 U.S.C. 103(a) as being

unpatentable over Hyatt (NPL, XBL – XML Binding language, 2000, W3C, pgs 1-35) in

view of DeRose (NPL, XML Pointer Language: Xpointer, 2001, W3C, pgs 1-25) Further

in view of Didier (NPL—Didier's Lab report, 2000, xml.org, pgs 1-5).

Regarding Independent claims 1, 14 & 18, A method, data structure & system

of authoring content to be served by a server comprising:

Authoring on a computing device a layout document which defines at least

one area of a document which includes the content to be published;

Authoring on a computing device at least one binding element which

defines the identity and location of at least a portion of content and, using

xpointer syntax, at least one style description file which defines a style to be

applied to a selected portion of content;

In which the step of authoring the layout document includes allocating to

the at least one defined area a director to at least one binding element such that

when processed the published document includes in the defined area the content

as directed by the binding element in the style as directed by the binding element

Hyatt teaches the use of XML binding language which is a markup language for

creating bindings to elements with style information using a style sheet (see pg 1,

abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes

reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding

element supports multiple definitions in a document (pg 17, section 2.5). Hyatt in

page 4 provides the suggestion of using a pointer, he states "The # notation must

be used to point to a specific binding id within a binding document", thus the

pound symbol is a xpointer expression provided as a fragment identifier which is

a typical method of using Xpointer. Thus Hyatt teaches the use of binding

element that defines the identity and location of a portion of content located

within a file/document by referencing a pointer. Although he provides a

suggestion for using a pointer he fails to explicitly show its application to portions

of content located externally using exact Xpointer syntax. DeRose teaches the

use of Xpointer which allows referencing of internal structures for a markup

document (see pg 3, section 1). Xpointer allows examination of internal structure

of a markup documents content and location information, thus identifying the

location of a portion of content. Furthermore it defines what areas of a document

to publish content because it references the content with its position/location

information. It also teaches its application using a director, such can be seen on

page 22, section 5.4.4, wherein the code shows href = "#Xpointer…." Thus the

contents location is authored by being associated with link data using href,

Furthermore the director is defined as an attribute format. Although DeRose

shows that content can be located externally and in portions of a markup

document he fails to teach the use of Xpointer with Style information. Didier

however explicitly shows on page 3 paragraph 3 the application of Xpointer with

implementation of stylesheet/layout information. At the time of the invention it

would have been obvious to one of ordinary skill in the art to modify the binding

elements with use of pointers of Hyatt to include reference to external content

and style information using Xpointer of DeRose and Didier. The motivation for

doing so would be to save significant time and memory by reducing the amount

of code necessary in the markup document to reference external content and

style information definitions.

Regarding Dependent claim 2, with dependency of claim 2, Hyatt discloses the

binding element does not itself contain any style or content, only containing

directors to style or content (see pg 1, abstract & pg 13, section 1.16 & pg 13-14

section 2.1, & pg 20, section 4 & pg 4, section 1.2, including the explanation

provided in the Independent claim).

Regarding Dependent claim 3, with dependency of claim 1, Hyatt discloses the

content is provided as an electronic file which contains a portion of text, or image,

or a combination of text and image content (see pg 1, abstract & pg 13, section

1.16 & pg 13-14 section 2.1, & pg 20, section 4 & pg 4, section 1.2, including the

explanation provided in the Independent claim).

Regarding Dependent claim 4, with dependency of claim 3, Hyatt discloses the

file comprises a section of data written for example in a mark-up language such

as XML (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1, & pg

20, section 4 & pg 4, section 1.2, including the explanation provided in the

Independent claim).

Regarding Dependent claim 5, with dependency of claim 1, Thus Hyatt teaches

the use of binding element that defines the identity and location of a portion of

content located within a file/document by referencing a pointer. Although he

provides a suggestion for using a pointer he fails to explicitly show its application

to portions of content located externally using exact Xpointer syntax. DeRose

teaches the use of Xpointer which allows referencing of internal structures for a

markup document (see pg 3, section 1). Xpointer allows examination of internal

structure of a markup documents content and location information, thus

identifying the location of a portion of content. Furthermore it defines what areas

of a document to publish content because it references the content with its

position/location information. It also teaches its application using a director, such

can be seen on page 22, section 5.4.4, wherein the code shows href =

"#Xpointer…." Thus the contents location is authored by being associated with

link data using href, Furthermore the director is defined as an attribute format.

Although DeRose shows that content can be located externally and in portions of

a markup document he fails to teach the use of Xpointer with Style information.

Didier discloses the style description is provided in the form of an electronic file

written for example in a mark-up language such as XML (see pg 3, wherein he

references style/layout information within xpointer syntax in XML format defined

within an XSL). At the time of the invention it would have been obvious to one of

ordinary skill in the art to modify the binding elements with use of pointers of

Hyatt to include reference to external content and style information using

Xpointer of DeRose and Didier. The motivation for doing so would be to save

significant time and memory by reducing the amount of code necessary in the

markup document to reference external content and style information definitions.

Regarding Dependent claim 6, with dependency of claim 1, Thus Hyatt teaches

the use of binding element that defines the identity and location of a portion of

content located within a file/document by referencing a pointer. Although he

provides a suggestion for using a pointer he fails to explicitly show its application

to portions of content located externally using exact Xpointer syntax. DeRose

teaches the use of Xpointer which allows referencing of internal structures for a

markup document (see pg 3, section 1). Xpointer allows examination of internal

structure of a markup documents content and location information, thus

identifying the location of a portion of content. Furthermore it defines what areas

of a document to publish content because it references the content with its

position/location information. It also teaches its application using a director, such

can be seen on page 22, section 5.4.4, wherein the code shows href =

"#Xpointer...." Thus the contents location is authored by being associated with

link data using href, Furthermore the director is defined as an attribute format.

Although DeRose shows that content can be located externally and in portions of

a markup document he fails to teach the use of Xpointer with Style information.

Didier discloses the director to a binding element provided in the layout

document is defined as a style attribute within a section of machine-readable

data written in a mark-up language (see pg 3, wherein he explicitly describes the

use of the style attribute). At the time of the invention it would have been obvious

to one of ordinary skill in the art to modify the binding elements with use of

pointers of Hyatt to include reference to external content and style information

using Xpointer of DeRose and Didier. The motivation for doing so would be to

save significant time and memory by reducing the amount of code necessary in

the markup document to reference external content and style information

definitions.

Regarding Dependent claim 7, Thus Hyatt teaches the use of binding element

that defines the identity and location of a portion of content located within a

file/document by referencing a pointer. Although he provides a suggestion for

using a pointer he fails to explicitly show its application to portions of content

located externally using exact Xpointer syntax. DeRose teaches the use of

Xpointer which allows referencing of internal structures for a markup document

(see pg 3, section 1). Xpointer allows examination of internal structure of a

markup documents content and location information, thus identifying the location

of a portion of content. Furthermore it defines what areas of a document to

publish content because it references the content with its position/location

information. It also teaches its application using a director, such can be seen on

page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the

contents location is authored by being associated with link data using href,

Furthermore the director is defined as an attribute format. Although DeRose

shows that content can be located externally and in portions of a markup

document he fails to teach the use of Xpointer with Style information. Didier

discloses more than one style description is provided (pgs 3-4). At the time of the

invention it would have been obvious to one of ordinary skill in the art to modify

the binding elements with use of pointers of Hyatt to include reference to external

content and style information using Xpointer of DeRose and Didier. The

motivation for doing so would be to save significant time and memory by

reducing the amount of code necessary in the markup document to reference

external content and style information definitions.

Regarding Dependent claim 8, with dependency of claim 1, Thus Hyatt teaches

the use of binding element that defines the identity and location of a portion of

content located within a file/document by referencing a pointer. Although he

provides a suggestion for using a pointer he fails to explicitly show its application

to portions of content located externally using exact Xpointer syntax. DeRose

teaches the use of Xpointer which allows referencing of internal structures for a

markup document (see pg 3, section 1). Xpointer allows examination of internal

structure of a markup documents content and location information, thus

identifying the location of a portion of content. Furthermore it defines what areas

of a document to publish content because it references the content with its

position/location information. It also teaches its application using a director, such

can be seen on page 22, section 5.4.4, wherein the code shows href =

"#Xpointer…." Thus the contents location is authored by being associated with

link data using href, Furthermore the director is defined as an attribute format.

Although DeRose shows that content can be located externally and in portions of

a markup document he fails to teach the use of Xpointer with Style information.

Didier discloses defining a binding element which defines the identity and

location of more than one style description or the identity and location of more

than one portion of content (pgs 3-4). At the time of the invention it would have

been obvious to one of ordinary skill in the art to modify the binding elements

with use of pointers of Hyatt to include reference to external content and style

information using Xpointer of DeRose and Didier. The motivation for doing so

would be to save significant time and memory by reducing the amount of code

necessary in the markup document to reference external content and style

information definitions.

Regarding Dependent claim 9, with dependency of claim 1, Hyatt teaches

defining two or more binding elements which direct to a common portion of

content or style description (see pg 1, abstract & pg 13, section 1.16 & pg 13-14

section 2.1, & pg 20, section 4 & pg 4, section 1.2, including the explanation

provided in the Independent claim).

Regarding Dependent claim 10, with dependency of claim 1, Hyatt teaches

more than one binding element is provided, and the layout document includes a

director to some or all of the total number of binding elements (see pg 1, abstract

& pg 13, section 1.16 & pg 13-14 section 2.1, & pg 20, section 4 & pg 4, section

1.2, including the explanation provided in the Independent claim).

Regarding Independent claim 11, A data structure embodied in a computer-readable medium that is suitable for processing by a server for serving as a document, the data structure comprising: a layout document which defines at least one area of a document which includes the content to be published; at least one binding element which defines the identity and location of at least a portion of content and at least one style description which defines a style to be applied to a selected potion of content; In which the layout document includes at least one binding element allocated to at least one of the areas such that when processed the published document includes in the defined area the content as directed by the binding element in the style as directed by the binding element; whereby the data structure may be rendered on a device receiving the data structure from the server.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content

and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 12, with dependency of claim 11, one or more discrete sections of machine readable data, a first section defining the a layout document, a second section defining the at least one binding element and a third section defining content, and a fourth section defining at least one style description.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein the code shows href = "#Xpointer...." Thus the contents location is authored by being associated with link data using href, Furthermore the director is defined as an attribute format. Although DeRose shows that content can be located externally and in portions of a markup document he fails to teach the use of Xpointer with Style information. Didier however explicitly shows on page 3 paragraph 3 the application of Xpointer with implementation of stylesheet/layout information. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the binding elements of Hyatt to include

reference to external content and style information using Xpointer of DeRose and Didier. The motivation for doing so would be to save significant time and memory by reducing the amount of code necessary in the markup document to reference external content and style information definitions.

Regarding Dependent claim 13, with dependency of claim 12, the discrete sections form part of a single file of machine readable data or separate files of machine readable data.

Hyatt teaches the use of XML binding language which is a markup language for creating bindings to elements with style information using a style sheet (see pg 1, abstract & pg 13, section 1.16 & pg 13-14 section 2.1). The binding includes reference to content (pg 20, section 4 * pg 4, section 1.2). Thus a binding element supports multiple definitions in a document (pg 17, section 2.5). Hyatt however fails to specifically show its application to portions of content located externally using Xpointer. Thus DeRose teaches the use of Xpointer which allows referencing of internal structures for a markup document (see pg 3, section 1). Xpointer allows examination of internal structure of a markup documents content and location information, thus identifying the location of a portion of content. Furthermore it defines what areas of a document to publish content because it references the content with its position/location information. It also teaches its application using a director, such can be seen on page 22, section 5.4.4, wherein

the code shows href = "#Xpointer...." Thus the contents location is authored by

being associated with link data using href, Furthermore the director is defined as

an attribute format. Although DeRose shows that content can be located

externally and in portions of a markup document he fails to teach the use of

Xpointer with Style information. Didier however explicitly shows on page 3

paragraph 3 the application of Xpointer with implementation of stylesheet/layout

information. At the time of the invention it would have been obvious to one of

ordinary skill in the art to modify the binding elements of Hyatt to include

reference to external content and style information using Xpointer of DeRose and

Didier. The motivation for doing so would be to save significant time and memory

by reducing the amount of code necessary in the markup document to reference

external content and style information definitions.

It is noted that any citation [[s]] to specific, pages, columns, lines, or

figures in the prior art references and any interpretation of the

references <u>should not be considered to be limiting in any way.</u> A reference

is relevant for all it contains and may be relied upon for all that it would

have reasonably suggested to one having ordinary skill in the art. [[See,

MPEP 2123]]

(10) Response to Argument

(1) Appellant Argues: With respect to Claim 18:

<u>...the Examiner rejects claim 18 as allegedly being directed to non-statutory subject matter, then supports this rejection but complaining that the claim is directed to a circuit whereas according to the specification the layout document processor is software based and does not provide support for an actual hardware element.</u> (pg 5, paragraph 3)

The Examiner Respectfully disagrees: Appellant argues that the examiner is complaining, instead the Examiner has provided guidance to overcome the 35 U.S.C. 101 rejection. In the Final rejection the Examiner states:

"The claim describes, "A layout document processor circuit", however according to the specification the layout document processor is software based and fails to describe any support for being construed as an actual hardware element consisting of a processor circuit. Instead the system for authoring content **should include** the processor circuit to represent a hardware based system."

In Appellant's specification pg 10, paragraph 1, states "In these steps the author produces the following sections of <u>data structure</u>: A layout document....."

The layout document processor circuit as claimed is actually a software component, such a component in a system claim should include a computer readable medium because software is code. If the code is not embodied in a computer readable

medium than the claim describes software per se. with no device or component for

implementation for any practical application. The system would be statutory if it is tied to

an actual hardware component and includes a content authoring system with a CPU or

processing circuit. Instead Appellant states "according to the specification", despite the

various embodiments described by a specification in general, the claim itself would

remain non-statutory, because no single language or component in a claim is explicitly

tied to one particular embodiment disclosed in a specification, therefore the claim

remains rejected under U.S.C. 101.

      (2) Appellant Argues:

      The Examiner's categorical statement that DeRose "defines what areas of a

document to publish content because it references the content with its position/location"

is wrong. There is nothing DeRose that could possible be twisted into an interpretation

akin to the Examiner's pronouncement, and the Examiner's willful misquotation of

DeRose is no substitute for the missing substance. (pg 7, paragraph 1)

      The above very specifically teaches that Xpointer is used to return the node that

contains the Xpointer itself how can this possibly construed as teaching location of

contents and attribute formats? (pg 8, paragraph 1)

The Examiner's assertion that DeRose teaches using Xpointer as a director that is defined as an attribute format is thus not only wrong, but immaterial – the claims do not recite using Xpointer syntax as a director, and further recite very specifically what this director points to (a binder) and which the Examiner simply does not address in the rejection. (pg 8, paragraph 2)

However, as noted above, the Examiner has not even mentioned where such suggestion is allegedly to be found in any of the cited references, and the motivation offered finds no support in the art itself. (pg 10, paragraph 1)

The Examiner Respectfully disagrees:

One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., Inc., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Appellant fails to consider combination of references instead merely relying on DeRose for not teaching "publishing of content to areas of document". Hyatt teaches the use of XML Binding Language and suggests its use with cascading style sheets (see abstract). Hyatt teaches that the element that the binding is attached to is called the

bound element and acquires the new behavior specified by the binding. An example of such use would be for customization of user interface elements, customization is the specification of a new behavior. Hyatt states:

"…XBL binding that dynamically binds new information to XML elements in other documents."

"A binding can specify new content that is placed under the bound element."

"A binding can specify additional methods that can be invoked on the element. It can also specify additional properties that can be retrieved or set on the element. In this way the functionality of the bound element becomes extensible" (see pg 4, section 1.2, paragraphs 1-3).

Here Hyatt teaches that the original element or content is modified by authoring on a computing device a layout document (the document containing the binding element) as shown in an example on pg 33. This binding element in the layout document defines at least one area of a document (the area referencing an element) that includes the content to be published (the updated element known as the bound element).

Page 6, section 1.5, paragraph 1 of Hyatt states: "The element tag specifies the position of the bound element within the anonymous content of a binding."

Here Hyatt describes at least one area (position) of a document which includes
the content (bound element) to be published.

Overall Hyatt as a whole discloses authoring on a computing device one binding
element which defines the identity (element name) and location (position) of at least a
portion of content. Furthermore XML, Xpointer, XPath, XSLT...etc are available for use
interchangeably by one of ordinary skill in the art because they are W3C standards
defined using the XML language. Hyatt goes on to state on page 4, section 1.2
paragraph 8 that "The **# notation must be <u>used to point</u>** to a specific binding id....",
here Hyatt provides a suggestion for using pointers to one of ordinary skill. Hyatt
however is silent as to the explicit use of Xpointer syntax. However DeRose teaches the
use of yet another W3C standard called Xpointer for locating a portion of content using
location information specified by XPath (see abstract). Although DeRose teaches using
Xpointer Syntax with Xpath for defining location of content (see abstract) he remains
silent regarding the implementation of style descriptions with Xpointer syntax. Didier
however explicitly teaches using XPointer syntax with style information: see pg 3,
paragraph 3 which states:

"mydoc.xml#xpointer("/detail")?**style=xhtml.xsl**"

Specifically the portion describing style=xhtml.xslt implements at least one style
description file which defines a style to be applied to a selected portion of content....as
claimed (see Independent claims 1, 14 and 18).

Finally the step of authoring the layout document which is the process of updating the UI element at its position which will be the element with the new behavior/style called the bound element includes allocating a director to the binding element. The term director understood to one of ordinary skill is a pointer. A pointer is what directs, thus as explained previously Hyatt already discloses this by using the "#" pointer notation, This notation works as a pointer to other binding elements. Once the specific style is obtained from Xpointer located by Xpath it can be used by the binding element with the # notation thereby directing at least one binding element. The final result being the published bound element with the new style properties. See applicants invention as disclosed in fig 4 of the specification for comparison which includes Xpointer syntax with style information defined in a binding element.

Despite the reference providing a suggestion or the fact that all the references are W3C standards, the skilled artisan would be further motivated to combine the references because it reduces the amount of code necessary in the layout document. Every time a style is applied within a bounding element it eliminates the need for defining additional attributes for assigning styles thereby reducing code.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

The Examiner appreciates Appellants time and effort set forth in this application, however for the above reasons; it is believed that the rejection should be sustained.

Conferees:

Manglesh M. Patel
Patent Examiner (AU 2178)
January 29, 2009

/Manglesh Patel/

Conferees:
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